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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,621	07/30/2003	Hajime Sato	00862.023147	9119

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EXAMINER	
SHENG, TOM V	
ART UNIT	**PAPER NUMBER**
2629	

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/629,621	SATO ET AL.	
	Examiner	Art Unit	
	Tom V. Sheng	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 March 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,5-13 and 18-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1,3,18 and 20* is/are allowed.

6)☒ Claim(s) *5-13,19 and 21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 13 is objected to because of the following informalities:

"equals" in line 4 of claim should be corrected as "is greater than".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 5-13, 19 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Kobayashi et al. (US 6,862,019 B2; hereinafter Kobayashi).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As for claim 5, associated method claim 19 and associated program 21, Kobayashi teaches a coordinate input apparatus (fig. 1) which calculates position coordinates of a coordinate input pointing tool (coordinate input pen 4) with respect to a coordinate input surface (display 6 with sensors 3) on which an X-Y plane and a Z-axis with respect to the X-Y plane are defined (as shown), comprising:

calculation means (microcomputer 11; fig. 5) for calculating the position coordinates (X, Y, Z) of the coordinate input pointing tool (microcomputer 11 calculates the coordinate position of the coordinate input pen 4 based on the detected signals; column 6 line 64 through column 7 line 12);

determination means (fig. 10A and 10B) for determining an operative state (on or off) of a predetermined switch (switch 41) of the coordinate input pointing tool (pen input operation and a pen-down state; column 11 lines 1-47);

comparison means (fig. 10A and 12) for comparing a predetermined value (300 mm) with a Z-coordinate value (Z value) of the position coordinates (X, Y, Z) calculated by said calculation means (checking if Z value is 300 mm or less; column 14 lines 19-47), on the basis of a determination result of said determination means (whether switch 41 is on; column 14 lines 11-18); and

control means for controlling output of the position coordinates (either absolute coordinate or relative coordinate) calculated by said calculation means, on the basis of the determination result of said determination means (when Z value is > 300 mm) **or** the determination result of said determination means and a comparison result of said

comparison means (when switch 41 is on and Z value is <= 300mm; column 14 lines 48-59).

As for claim 6, the use of either absolute coordinates or relative coordinates reads on claimed determining a coordinate output form.

As for claim 7, the absolute coordinate and relative coordinate read on claimed first coordinate output and second coordinate output, respectively.

As for claim 8, the absolute or relative coordinates outputted correspond to claimed presence of output and the non-output state when Z value is between 300 mm and 1000 mm corresponds to claimed absence of output.

As for claim 9, switch 41 being on and output of absolute coordinates correspond to claimed operative state and (X, Y) coordinate values, respectively.

As for claim 10, when switch 41 is being off and the Z value <= 300 mm, absolute coordinates would still be output and thus correspond to claimed non-operative state and (X, Y) coordinate values, respectively.

As for claim 11, claimed storage means is taught by the memory in step S309, differences between the first position coordinate and calculated position coordinate is taught by the difference between the (X1st, Y1st) coordinate and the obtained coordinate (X, Y), and the output of differential coordinate is taught by the output of relative coordinate (ΔX, ΔY) when the Z value is not <= 300 mm.

As for claim 12, step S305 (fig. 12) corresponds to claimed continuous input state determination means, and the calculated coordinate that's stored in memory corresponds to claimed predetermined position coordinates.

As for claim 13, with switch 41 being on, no coordinate output is provided when Z value is greater than 300 mm.

Allowable Subject Matter

4. Claims 1, 3, 18 and 20 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter: none of the prior arts of record teaches the limitations "changing the position coordinates by multiplying the position coordinates by a predetermined coefficient that is obtained on the basis of a coordinate with a vertical direction axis with respect to the coordinate input surface, and that is related to a distance between the coordinate input surface and the coordinate input pointing tool" regarding the change means of claim 1, change step of claim 18, and program code for a change step of claim 20. Claim 3 is dependent on claim 1.

Response to Arguments

6. In view of a new prior art discovered in update search, the previous allowance of claims 5-13, 19 and 21 is withdrawn and a rejection is provided. Because the rejection is unrelated to Applicant's amendment, the rejection is made non-final.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom V. Sheng whose telephone number is (571) 272-7684. The examiner can normally be reached on 9:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tom Sheng
May 23, 2006

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